

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 23-cv-20555-DAMIAN

NORIS AREVALO, *et al.*,

Plaintiffs,

v.

HAVANA HARRY'S II INC., *et al.*,

Defendants.

/

ORDER APPROVING FLSA SETTLEMENT

THIS CAUSE is before the Court on Plaintiffs, Noris Arevalo, Juan Arevalo Villalobos, Alvaro Villalobos, Tomas Avendano, and Sandra Baires (collectively, “Plaintiffs”), and Defendants, Havana Harry’s Coral Gables, LLC and Carlos Centurion (collectively, “Defendants”), *ore tenus* Joint Motion for Approval of Settlement and Stipulated Dismissal with Prejudice [ECF No. 53] (the “Motion”).¹ The parties seek the Court’s approval of their Confidential Settlement Agreement and General Release (“Settlement Agreement”) as a “fair and reasonable resolution of a bona fide dispute,” and dismissal of Plaintiffs’ claims against Defendants with prejudice. *See Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350, 1352–53 (11th Cir. 1982).

Upon review of the record and the executed Settlement Agreement, which was submitted to this Court for *in-camera* inspection, and having heard from the parties, through their counsel, at a Zoom Fairness Hearing held May 25, 2023, and being otherwise fully

¹ This matter is before the undersigned pursuant to the parties’ Consent to Proceed Before a United States Magistrate Judge, in which the parties jointly and voluntarily elected to have the undersigned conduct all further proceedings in this case (including the jury trial). [ECF No. 49]. *See* 28 U.S.C. § 636(c).

advised in the premises, the Court finds that the Settlement Agreement is fair and reasonable. Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. The parties' *ore tenus* Joint Motion for Approval of Settlement and Stipulated Dismissal with Prejudice [ECF No. 53] is **GRANTED**;
2. The Settlement Agreement between Plaintiffs and Defendants — Havana Harry's Coral Gables, LLC and Carlos Centurion — is **APPROVED** in its entirety as fair and reasonable;
3. This case is **DISMISSED with prejudice** as to Defendants, Havana Harry's Coral Gables, LLC and Carlos Centurion, with each party to bear its own costs and attorney's fees except as otherwise agreed;
4. Plaintiffs' claims against Defendants Havana Harry's II Inc., Nieves Feal, and Arthur Cullen shall remain pending; and
5. The Court retains jurisdiction for thirty (30) days from the date of this Order to enforce the terms of the Settlement Agreement.

DONE AND ORDERED in Chambers at Miami, Florida, this 25th day of May, 2023.



MELISSA DAMIAN
UNITED STATES MAGISTRATE JUDGE

Copies to:
Counsel of Record